

Notice of Allowability

Application No.

09/493,242

Examiner

Isaac M Woo

Applicant(s)

BENAYOUN ET AL.

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed on 07/19/2004.
2. ☒ The allowed claim(s) is/are 1-15 and 17-36.
3. ☒ The drawings filed on 02 July 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Shahid Alam
SHAHID ALAM
PRIMARY EXAMINER

DETAILED ACTION

1. This office action is in response to the amendment filed on July 19, 2004. Claims 1, 11, 14, and 31-32 are amended. Claims 16 and 37 are canceled. Claim 37 (objected in previous action) is amended for incorporation in each of their respective independent claims 1, 11, 14, and 31-32. And claims 1-15 and 17-36 are presented for examination.

Allowable Subject Matter

2. Claims 1-15 and 17-36 are allowed over prior art. The following is a statement of reasons for the indication of allowable subject matter:

Due to claimed features in claims 1, 11, 14, and 31-32, the claims 1-15 and 17-36 are allowed.

For the claims 1, 11, 14, and 31-32, the prior art teaches (Maxey, U.S. Patent No. 5,590,320), table for associating the file with a priority list of physical units, wherein the physical units store a plurality of versions of the file, wherein the table comprises a plurality of associations of a same file logical path name and a file name in a one-to-one correspondence with a plurality of physical units.

The prior art does not teach combination steps of each of the plurality of associations comprises an association of a unique version of the file having the same file logical path name and the file name such that each of the stored plurality of versions of the file are not duplicated, and the priority list of physical units is prioritized according

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to the plurality of versions of the file based on one of a least amount of malfunctions in the versions, a least bugged version of the versions, an availability of the versions, a date of versions, and a least protection of the version against at least one of an unprotected read an execute, and a write operation.

Claims 1-10, 12-13, 15, 17-30 and 33-36 are dependent claims, being definite, further limiting, and fully enabled by the specification, are also allowed.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
August 11, 2004


SHAHID ALAM
PRIMARY EXAMINER

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